IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 4825 of 2000

Between:

1 K.Narasimha S/o.Yellaiah
O/o.Mother Dairy,Himayathnagar R.R.Dist.
2 C.Mysaiah S/o.Istari
O/o.Mother Dairy,Himayathnagar R.R.Dist.
3 G.Swamy S/o.Istar
O/o.Mother Dairy,Himayathnagar R.R.Dist.
4 Ch.Balanarsimha S/o.Pochaiah
O/o.Mother Dairy,Himayathnagar R.R.Dist.
5 G.Babu S/o.Jangaiah
O/o.Mother Dairy,Himayathnagar R.R.Dist.
6 T.Balanarsaiah S/o.T.Narasimha
O/o.Mother Dairy,Himayathnagar R.R.Dist.

..... PETITIONERS

AND

1 The State of A.P Rep.by its Secretary,Finance & Planning Dept
Secretariat Hyderabad.
2 The State of A.P Rep.by its Secretary,Agriculture Dept
Secretariat Hyderabad.
3 The A.P.Dairy Development Corporation Federation Ltd.,

Rep.by its Vice Chairman and Managing Director
Lalapet Hyderabad.
4 The Mother Dairy Rep.by its General Manager
Hayathnagar,R.R.Dist.
5 The State of A.P. Rep.by its Secretary
Legislative Affairs Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the Act 27/1998 issued by the 5th respondent is illegal, arbitrary and G.O.Ms.No.212, F&P, dt.22-4-94 and declare the same as illegal, arbitrary and contrary to the orders passed by the Hon'ble High Court as well as the Hon'ble Supreme Court and further direct the respondents to regularise the services of the petitioner in which posts they are working from the date of their initial appointment.

Counsel for the Petitioner: MR.P.RAGHAVENDRA REDDY

Counsel for the Respondent Nos.1, 2 & 5: G.P. for Finance & Planning

Counsel for the Respondent Nos.3 & 4 : Mr.N. Rajeswar Rao

SC for APDDFC Ltd.,

The Court made the following

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ORDER **(per the Hon'ble Sri Justice J. Chelameswar)**:

The learned counsel for the petitioners submits that the petitioners may be permitted to withdraw the writ petition, as it was already held by this Court in earlier proceedings that such a writ petition is not maintainable as against the third respondent- A.P. Dairy Development Corporation Federation Limited, with liberty to the petitioners to initiate appropriate proceedings as they are advised for agitating their rights which are pleaded before this Court.

The Writ Petition is accordingly dismissed as ‘not pressed’ with a liberty to the petitioners, as prayed for. No costs.

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J. CHELAMESWAR, J

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GODA RAGHURAM, J

7th October, 2004

Note: Issue CC in one week

B/o.

isn

To

1. The Secretary, The State of AP.,

Finance and Planning Department,

Secretariat Buildings, Hyderabad.
2. The Secretary, The State of A.P.,

Agricultural Department,

Secretariat Buildings, Hyderabad.
3. The Vice Chairman and Managing Director,

The A.P. Dairy Development Corporation Federation Ltd.,

Lalapet, Hyderabad.
4. The General Manager, The Mother Dairy,

Hayathnagar Ranga Reddy District.
5 The Secretary, The State of AP.,

Legislative Affairs, Secretariat, Hyderabad.

6. Two CCs to G.P. for Finance & Planning, High Court Buildings, Hyderabad (OUT).

7. Two CD copies